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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,917	01/23/2004	Peter K. Malkin	YOR920040029US1	1916
49267	7590	11/27/2006	EXAMINER	
KEUSEY, TUTUNJIAN & BITETTO, P.C. 20 CROSSWAYS PARK NORTH, SUITE 210 WOOBURY, NY 11797			LOVEL, KIMBERLY M	
			ART UNIT	PAPER NUMBER
			2167	

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/707,917		MALKIN ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Kimberly Lovel		2167	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This communication is responsive to the Amendment filed 5 September 2006.
2. Claims 1-18 are pending in this application. Claims 1, 9, 17 and 18 are independent. In the Amendment filed 5 September 2006, claims 1, 9, 17 and 18 have been amended. This action is made Final.
3. The rejections of claims 1, 2, 9, 10, 17 and 18 as being anticipated by US PGPub 2004/0267625 to Feng et al; claims 3, 4, 11 and 12 as being unpatentable over US PGPub 2004/0267625 to Feng et al in view of US Patent No 6,549,912 to Chen; and claims 6, 7, 14 and 15 as being unpatentable over US PGPub 2004/0267625 to Feng et al in view of US PGPub 2004/0148346 to Weaver et al have been withdrawn as necessitated by applicant's amendments.

### ***Specification***

4. The objections to the specification are withdrawn as necessitated by the amendment.

### ***Claim Objections***

5. The objections to claims 1, 9 and 11 are withdrawn as necessitated by the amendment.
6. Claim 18 objected to because of the following informalities:  
  
It seems as though line 9 contains a typo and should recite "ensuring that all relevant" instead of "ensuring the all relevant."

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. **Claims 1-3, 7, 9-11, 15 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No 7,069,308 to Abrams (hereafter Abrams).**

Referring to claim 1, Abrams discloses a method for allowing the sharing of social relationships collections comprising the steps of:

creating a social relationship collection object [Friends] (see column 7, lines 31-34) for a first user that provides access to at least one individual with whom they have a social relationship (see column 12, lines 52-59 and column 15, lines 23-33);

allowing a second user [first user] to retrieve said social relationship collection object [Friends] (see the bottom left hand corner of the screen shown in Fig 6 – Cindy's Friends) using a retrieval request by the second user without invitation by the first user [Cindy] (see column 5, lines 64-66; column 14, line 58 – column 15, line 2; Fig 5; and Fig 6 - after the user [applicant's second user] selects to view Cindy's [applicant's first user] profile, the screen displays Cindy's descriptive data and her list of friends [applicant's social relationship collection]); and

as a result of allowing said second user to retrieve said social relationship collection object, said second user inspects a reference [Melissa] contained in the first user's social relationship collection object [Cindy's Friends] (see Column 5, lines 36-47 and Fig 6 – above the photo of Melissa is a hyperlink to Melissa).

**Referring to claim 2**, Abrams discloses the method of claim 1 further comprising the step of providing said social relationship collection object [Friends – Relationship Data] as a user list [list of friends] (see column 7, lines 55-57).

**Referring to claim 3**, Abrams discloses the method of claim 2 further comprising the step of associating said user list with a meta-tag [Cindy's Friends – the list of friends is given the title Cindy's Friends] (see Fig 6).

**Referring to claim 7**, Abrams discloses the method of claim 1 further comprising the step of providing a meta-tag [the name Melissa above the photo] for at least one reference [Melissa] within said social relationship collection object [Cindy's Friends] (see Fig 6).

**Referring to claim 9**, Abrams discloses a method for hosting a service that allows for the sharing of social relationships collections comprising the steps of:

creating a social relationship collection object [Friends] (see column 7, lines 31-34) for a first user that provides access to at least one individual with whom they have a social relationship (see column 12, lines 52-59 and column 15, lines 23-33);

allowing a second user [first user] to retrieve said social relationship collection object [Friends] (see the bottom left hand corner of the screen shown in Fig 6 – Cindy's Friends) using a retrieval request by the second user without invitation by the first user

[Cindy] (see column 5, lines 64-66; column 14, line 58 – column 15, line 2; Fig 5; and Fig 6 - after the user [applicants' second user] selects to view Cindy's [applicants' first user] profile, the screen displays Cindy's descriptive data and her list of friends [applicants' social relationship collection]); and

as a result of allowing said second user to retrieve said social relationship collection object, said second user inspects a reference [Melissa] contained in the first user's social relationship collection object [Cindy's Friends] (see Column 5, lines 36-47 and Fig 6 – above the photo of Melissa is a hyperlink to Melissa).

**Referring to claim 10**, Abrams discloses the method of claim 9 further comprising the step of providing said social relationship collection object [Friends – Relationship Data] as a user list [list of friends] (see column 7, lines 55-57).

**Referring to claim 11**, Abrams discloses the method of claim 10 further comprising the step of associating said user list with a meta-tag [Cindy's Friends – the list of friends is given the title Cindy's Friends] (see Fig 6).

**Referring to claim 15**, Abrams discloses the method of claim 9 further comprising the step of providing a meta-tag [the name Melissa above the photo] for at least one reference [Melissa] within said social relationship collection object [Cindy's Friends] (see Fig 6).

**Referring to claim 17**, Abrams discloses an apparatus for use in a computer services environment, said apparatus comprising:

at least one processor [apparatus 110] (see column 8, lines 48 – column 10, line 10) operative to create a social relationship collection object [Friends] (see column 7,

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lines 31-34) for a first user that provides access to at least one reference with whom they have a social relationship (see column 12, lines 52-59 and column 15, lines 23-33), allow a second user [first user] to retrieve said social relationship collection object [Friends] (see the bottom left hand corner of the screen shown in Fig 6 – Cindy's Friends) using a retrieval request by the second user without invitation by the first user [Cindy] (see column 5, lines 64-66 and column 14, line 58 – column 15, line 2; Fig 5 and Fig 6 – after the user [applicant's second user] selects to view Cindy's [applicant's first user] profile, the screen displays Cindy's descriptive data and her list of friends [applicant's social relationship collection]), and as a result of allowing said second user to retrieve said social relationship collection object, said second user inspects a reference [Melissa] contained in the first user's social relationship collection object [Cindy's Friends] (see column 5, lines 36-47 and Fig 6 – above the photo of Melissa is a hyperlink to Melissa).

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein



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were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**11. Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No 7,069,308 to Abrams as applied respectively to claim 3 and 11 above, and further in view of US Patent No 6,549,912 to Chen (hereafter Chen).**

Referring to claim 4, Abrams discloses associating a meta-tag with the user list. However, Abrams fails to explicitly disclose the further limitation of automatically modifying the meta-tag when retrieved by said second user. Chen discloses a method for file sharing (see abstract), including the further limitation of modifying the meta-tag when retrieved by said second user (Chen: see abstract, lines 9-14 – when the file is rented the meta-tag is automatically updated; the concept of renting the file is considered to be analogous to the concept of sharing a user list) in order to provide the user a tool for customization of the user list.

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the step of modifying the meta-tag as disclosed by Chen with the title of the list of friends disclosed by Abrams. One would have been motivated to do so in order to provide the user a tool for customization of the user list.



**Referring to claim 12**, Abrams discloses associating a meta-tag with the user list. However, Abrams fails to explicitly disclose the further limitation of automatically modifying the meta-tag when retrieved by said second user. Chen discloses a method for file sharing (see abstract), including the further limitation of modifying the meta-tag when retrieved by said second user (Chen: see abstract, lines 9-14 – when the file is rented the meta-tag is automatically updated; the concept of renting the file is considered to be analogous to the concept of sharing a user list) in order to provide the user a tool for customization of the user list.

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the step of modifying the meta-tag as disclosed by Chen with the title of the list of friends disclosed by Abrams. One would have been motivated to do so in order to provide the user a tool for customization of the user list.

**12. Claims 5, 8, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No 7,069,308 to Abrams as applied respectively to claim 1 and 9 above, and further in view of US PGPub 2005/0015432 to Cohen (hereafter Cohen).**

**Referring to claim 5**, Abrams discloses a social relationship collection. However, Abrams fails to explicitly teach the further step of providing meta-tags for said social relationship collection object for indicating when a given reference within said object was used. Cohen discloses a database that may be used to determine contact paths between users and addressed parties (see abstract) including the further

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limitation of the step of providing meta-tags for said social relationship collection object for indicating when a given reference within said object was used (see [0116], lines 1-5 – data points representing contacts may be arranged to identify the most frequent links; color codes can then be applied based upon recency of use; color codes are considered to represent *meta-tags*) in order to provide a tool to determine the reliability that the information is current.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the feature of color coding to indicate when a reference was last used as mentioned in Cohen with the list of friends mentioned in Abrams. One would have been motivated to do so in order to provide a tool to determine the reliability that the information is current.

**Referring to claim 8**, Abrams discloses a social relationship collection. However, Abrams fails to explicitly teach the further step of providing usage history for at least one reference within said social relationship collection object. Cohen discloses a database that may be used to determine contact paths between users and addressed parties (see abstract) including the further limitation of the step of providing usage history for at least one reference within said social relationship collection object (see [0054] – the frequency of communication is considered to represent the *history of usage*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the feature of providing usage history mentioned in Cohen

with the list of friends mentioned in Abrams. One would have been motivated to do so in order to determine the popularity of a reference.

**Referring to claim 13**, Abrams discloses a social relationship collection.

However, Abrams fails to explicitly teach the further step of providing meta-tags for said social relationship collection object for indicating when a given reference within said object was used. Cohen also discloses a database that may be used to determine contact paths between users and addressed parties including the further limitation of the step of providing meta-tags for said social relationship collection object for indicating when a given reference within said object was used (see [0116], lines 1-5 – data points representing contacts may be arranged to identify the most frequent links; color codes can then be applied based upon recency of use; color codes are considered to represent *meta-tags*) in order to provide a tool to determine the reliability that the information is current.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the feature of color coding to indicate when a reference was last used as mentioned in Cohen with the list of friends mentioned in Abrams. One would have been motivated to do so in order to provide a tool to determine the reliability that the information is current.

**Referring to claim 16**, Abrams discloses a social relationship collection.

However, Abrams fails to explicitly teach the further step of providing usage history for at least one reference within said social relationship collection object. Cohen discloses a database that may be used to determine contact paths between users and addressed

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parties (see abstract) including the further limitation of the step of providing usage history for at least one reference within said social relationship collection object (see [0054] – the frequency of communication is considered to represent the *history of usage*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the feature of providing usage history mentioned in Cohen with the list of friends mentioned in Abrams. One would have been motivated to do so in order to determine the popularity of a reference.

**13. Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No 7,069,308 to Abrams as applied respectively to claims 1 and 9 above, and further in view of US 2004/0148346 to Weaver et al (hereafter Weaver et al).**

Referring to claim 6, Abrams discloses a social relationship collection. However, Abrams fails to explicitly teach the further step of providing meta-tags that indicate the type of relationship between the first user and at least one reference within said social relationship collection object. Weaver et al disclose a social relationship collection in the form of a buddy list, including the further limitation the step of providing meta-tags that indicate the type of relationship between the first user and at least one reference within said social relationship collection object (see Fig 1 – items 111, 112, and 113 are considered to represent the meta-tags since Buddies, Co-workers and Family indicate the type of relationship between the first user and the reference; item

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115b is considered to represent a reference that has a relationship categorized as Buddies) in order to provide organization to the list.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the features of a buddy list mentioned in Weaver et al with the social relationship collection [list of friends] mentioned in Abrams. One would have been motivated to do so in order to provide organization to the list of friends displayed by Abrams.

**Referring to claim 14**, Abrams discloses a social relationship collection. However, Abrams fails to explicitly teach the further step of providing meta-tags that indicate the type of relationship between the first user and at least one reference within said social relationship collection object. Weaver et al disclose a social relationship collection in the form of a buddy list, including the further limitation the step of providing meta-tags that indicate the type of relationship between the first user and at least one reference within said social relationship collection object (see Fig 1 – items 111, 112, and 113 are considered to represent the meta-tags since Buddies, Co-workers and Family indicate the type of relationship between the first user and the reference; item 115b is considered to represent a reference that has a relationship categorized as Buddies) in order to provide organization to the list.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the features of a buddy list mentioned in Weaver et al with the social relationship collection [list of friends] mentioned in Abrams. One would have

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been motivated to do so in order to provide organization to the list of friends displayed by Abrams.

**14. Claim 18 is rejected under 35 U.S.C. 103(a) as being obvious over US Patent No 7,069,308 to Abrams in view of US PGPub 2003/0083898 to Wick et al (hereafter Wick) in view of US PGPub 2003/0147369 to Singh et al (hereafter Singh).**

Referring to claim 18, Abrams discloses a method for allowing a first organization to enable a second organization [users] to use social relationship collection objects of the first organization [the service provider], the method comprising the step of: configuring and installing a server at the first organization [the service provider] to handle requests from the users of the second organization [users of the service] such that retrieval requests from the second organization are made without invitation by the first organization (see column 5, lines 64-66; column 14, line 58 – column 15, line 2; Fig 5; and Fig 6 – after the user selects to view Cindy's profile, the screen displays Cindy's descriptive data and her list of friends).

However, Abrams fails to explicitly disclose the further limitation of determining the number of users in the second organization that would be using the social relationship collection objects of the first organization. Wick discloses determining different metrics for an organization (see abstract), including the further limitation of determining the number of users in the second organization [staff within a business unit]

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that would be using the social relationship collection objects of the first organization (see [0045]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the concept of Wick that social network mapping may include the number of staff members with the social network of Abrams. One would have been motivated to do so in order to determine the number of servers to install to provide efficient load balancing.

The combination of Abrams and Wick (hereafter Abrams/Wick) fails to explicitly disclose the further limitation of ensuring the all relevant members of the second organization have a client application for accessing the server. Singh discloses the transmission of data between two different computing devices (see abstract), including the further limitation of ensuring the all relevant members of the second organization have a client application for accessing the server (see [0040]-[0044]) in order to ensure that each user device has the capability of allowing the user to access the social network.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the step of ensuring that each user has the proper applications as disclosed by Singh with Abrams/Wick to ensure that each user has a web browser. One would have been motivated to do so in order to ensure that each user device has the capability of allowing the user to access the social network.



***Response to Arguments***

15. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Lovel whose telephone number is (571) 272-2750. The examiner can normally be reached on 8:00 - 4:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kimberly Lovel  
Examiner  
Art Unit 2167

19 November 2006  
kml

11/19/06 KML

  
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21 November 2006